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CONCLUSION OF EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

SECURITY COUNCIL
Fiftieth year

Letter dated 6 April 1995 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a declaration by the United Kingdom of Great Britain and Northern Ireland on security assurances, issued by my Government on 6 April 1995 at the Conference on Disarmament in Geneva (see annex).

In issuing this declaration, my Government recognises that those States which have renounced nuclear weapons are entitled to look for assurances that such weapons will not be used against them. The revised negative security assurance now given in the Conference on Disarmament by the United Kingdom is a solemn and formal undertaking by my Government which meets these concerns. The positive security assurance also contained in the declaration reiterates and expands on the assurance which my Government gave in 1968 by recognising the desire of non-nuclear-weapon States to be reassured that the nuclear-weapon States would take appropriate measures in the event of the former being attacked or threatened with nuclear weapons.

These assurances have been given by my Government after consultation with the other nuclear-weapon States. They are extended to non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and demonstrate the continuing determination of the nuclear-weapon States to strengthen and make permanent that Treaty.

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I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 68 of the preliminary list, and of the Security Council.

(Signed) David H. A. HANNAY

ANNEX

United Kingdom of Great Britain and Northern Ireland declaration on security assurances made in the plenary session of the Conference on Disarmament on 6 April 1995 by Sir Michael Weston, United Kingdom Permanent Representative to the Conference on Disarmament in Geneva

The Government of the United Kingdom believes that universal adherence to and compliance with international agreements seeking to prevent the proliferation of weapons of mass destruction are vital to the maintenance of world security. We note with appreciation that 175 States have become parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

We believe that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the international non-proliferation regime which has made an invaluable contribution to international peace and security. We are convinced that the Treaty should be extended indefinitely and without conditions.

We will continue to urge all States that have not done so to become parties to the Treaty.

The Government of the United Kingdom recognises that States which have renounced nuclear weapons are entitled to look for assurances that nuclear weapons will not be used against them. In 1978 we gave such an assurance. Assurances have also been given by the other nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Recognising the continued concern of non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons that the assurances given by nuclear-weapon States should be in similar terms, and following consultation with the other nuclear-weapon States, I accordingly give the following undertaking on behalf of my Government:

The United Kingdom will not use nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

In giving this assurance the United Kingdom emphasises the need not only for universal adherence to, but also for compliance with, the Treaty on the Non-Proliferation of Nuclear Weapons. In this context I wish to make clear that Her Majesty's Government does not regard its assurance as applicable if any beneficiary is in material breach of its own non-proliferation obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.

In 1968 the United Kingdom declared that aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would

create a qualitatively new situation in which the nuclear-weapon States which are Permanent Members of the United Nations Security Council would have to act immediately through the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter, which calls for taking "effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace". Therefore, any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

I, therefore, recall and reaffirm the intention of the United Kingdom, as a Permanent Member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State, party to the Treaty on the Non-Proliferation of Nuclear Weapons, that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

This Security Council assistance could include measures to settle the dispute and restore international peace and security, and appropriate procedures, in response to any request from the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression.

If a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons is a victim of an act of aggression with nuclear weapons, the United Kingdom would also be prepared to take appropriate measures in response to a request from the victim for technical, medical, scientific or humanitarian assistance.

The United Kingdom reaffirms in particular the inherent right, recognised under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.